

Time	Speaker	Note
<u>9:01:32 AM</u>	Commissioner Joe Skinner	Called to order. Present were Chairman Joe Skinner, Commissioners Bill Murdock, John Vincent, Shelley Vance, Kimberly Buchanan, Beth Horn, Anne Trygstad, Deputy County Attorney Greg Sullivan, and Recording Secretary Judy Noreen.
<u>9:01:43 AM</u>		There was no public comment on any matters within the Commission's jurisdiction that was not on the agenda.
<u>9:01:55 AM</u>	Commissioner Joe Skinner	Bozeman Pass Zoning District: Item 1. Bozeman Pass Zoning District two items that were continued from March 9 Continuation of a Decision on a Resolution Adopting the Bozeman Pass Development District and Development Pattern; public testimony has been closed on this item. He stated he needed a commitment from Anne and Beth on the record that they have read all the material; all the public comment, the staff report and have listened to the FTR tapes for March 9, 2006.
<u>9:02:30 AM</u>	Commissioner Beth Horn	Yes, I have done so.
<u>9:02:34 AM</u>	Commissioner Anne Trygstad	Yes, I have also done so.
<u>9:02:39 AM</u>	Commissioner Joe Skinner	He explained an exparte conversation with Mrs. Mc Milin that she wanted to take property out of the district and I told her I didn't know the answer to that and I sent her to the planning staff. She then put it in writing.
<u>9:03:04 AM</u>	Commissioner Shelley Vance	I also want to disclose that Mrs. Mc Milin came to me first and I sent her to the chairman of the Planning and Zoning Commission.
<u>9:03:37 AM</u>	Commissioner Joe Skinner	He stated that the full commission is here.
<u>9:03:44 AM</u>	Planner Sean O'Callaghan	He stated in the staff report of March 9 hearing contains the two resolutions that are the subject of today's Board Discussion and Decision and that is Resolution 2006-01, which is a resolution of the Bozeman Pass Planning & Zoning Commission to adopt the Bozeman Pass Development District and Development Pattern and Resolution 2006-02, which is a resolution of the Bozeman Pass Planning & Zoning Commission to adopt the Bozeman Pass Zoning Regulation and Zoning Map. Staff also presented a memo dated 2/28/06 to the Bozeman Pass Planning & Zoning Commission from staff, which contains suggested language regarding Transfer Development Rights. You also heard from the public on March 9 and written testimony that was received has been sent out in your packets. Information since then is a memo 3/13/06 from staff in response to questions from the Planning and Zoning Commission regarding the calculation average parcel size.
<u>9:10:39 AM</u>		Board discussion with staff.
<u>9:10:56 AM</u>	Commissioner Joe Skinner	Opened public comment on average parcel size only, regarding the 3/13/06 staff memo.

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<u>9:11:34 AM</u>	Commissioner Joe Skinner	Public Comment - none
<u>9:11:46 AM</u>	Commissioner Joe Skinner	He asked Greg Sullivan about the boundaries.
<u>9:11:54 AM</u>	Deputy County Attorney Greg Sullivan	Advice, that the boundaries were set by the County Commission when they adopted the district and therefore cannot be changed or altered.
<u>9:12:28 AM</u>	Commissioner Joe Skinner	Board discussion
<u>9:12:35 AM</u>	Commissioner Shelley Vance	She needs more information, numbers of parcels, not the size of parcels. She read her concerns. How many parcels are in the 40-acre district - less than 40 acres, etc. She also discussed the 80-acre district. She needs the answers to these questions before the Zoning Commission votes.
<u>9:16:07 AM</u>	Commissioner Bill Murdock	He asked if any proponents here today from the district have those numbers.
<u>9:16:34 AM</u>	Janet Kempf	She stated she is a member of the district and has been helping with the documents, but she does not have the numbers.
<u>9:16:58 AM</u>	Planner Sean O'Callaghan	He stated that the information he gave does not provide that, but the maps show that. I will supply if so requested.
<u>9:17:40 AM</u>	Commissioner Bill Murdock	I move that we approve the Development Pattern.
<u>9:17:50 AM</u>	Commissioner John Vincent	Second
<u>9:17:58 AM</u>	Commissioner Joe Skinner	I will not vote in favor of the motion because the Development Pattern does not reflect what is on the ground. It would mitigate the problem if we had a PUD or cluster bonus options in the regulations and in the Development Pattern. I feel it is a stretch that it was created for public, health and safety.
<u>9:19:32 AM</u>	Commissioner Bill Murdock	I need to amend my motion to include the language for the TDRs.
<u>9:19:55 AM</u>	Deputy County Attorney Greg Sullivan	Advice for amending the motion. Amend the motion to approve the resolution adopting both the Pattern and the District.
<u>9:20:08 AM</u>	Commissioner Bill Murdock	I amend my motion to include that.

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<u>9:20:14 AM</u>	Commissioner John Vincent	I will include that in my second also.
<u>9:20:20 AM</u>	Commissioner Joe Skinner	So it is moved to approve Resolution 2006-01 with the staff suggested TDR language.
<u>9:20:26 AM</u>	Commissioner Bill Murdock	Yes, we need to work on TDRs to help Shelley and your concerns.
<u>9:21:19 AM</u>		Motion passed 4-3. Commissioners Vance, Skinner and Buchanan opposed.
<u>9:21:42 AM</u>	Commissioner Joe Skinner	Bozeman Pass Zoning District: Item 2. Continuation of a Decision on a Resolution Adopting the Bozeman Pass Zoning Regulation and Map.
<u>9:21:57 AM</u>		Board discussion
<u>9:22:10 AM</u>	Planner Sean O'Callaghan	He suggested that if the Commission chooses to pass this resolution, you do the same thing with the TDR language. That memo addressed both the Development Pattern and the Zoning Regulation.
<u>9:22:57 AM</u>	Commissioner Bill Murdock	I move to approve the Zoning Regulation Resolution 2006-02 with amended TDR language and anything else Sean was directed to put in this ordinance.
<u>9:23:18 AM</u>	Commissioner John Vincent	Second
<u>9:23:22 AM</u>		Board discussion.
<u>9:23:30 AM</u>	Commissioner Shelley Vance	I will not support this motion for the same reasons I stated earlier. We need to make it more uniform. I am concerned about what we are putting over on top of what is already in existence out there. So I can't support the regulations as they are currently written, because they don't reflect what is really there.
<u>9:24:16 AM</u>	Commissioner John Vincent	I will support the motion. There is not a perfect zoning district anywhere and a lot of work has been done.
<u>9:24:48 AM</u>	Commissioner Bill Murdock	I agree with that. The citizens drafted this document, we did not. They had a lot of input with good notice. This is a 101 district.
<u>9:26:08 AM</u>	Commissioner Beth Horn	I believe in citizen initiated zoning districts. It is grass roots politics at its best and these folks have worked hard and long and tried the best they can and maybe everyone is not pleased, but maybe it would be better than nothing. So I will support this also.
<u>9:26:31 AM</u>	Commissioner Anne Trygstad	There has been a lot of compromising already and it is not a one-way decision.
<u>9:26:45 AM</u>	Commissioner Bill Murdock	The hot bottom here is the density for single family residences. What needs to be on the record here is Coal Bed Methane is still an issue and this regulates it well.

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<u>9:27:28 AM</u>	Commissioner Joe Skinner	He will support this motion. I applaud the effort of the citizens; I'm not against the Zoning District, but I don't agree with the Development Pattern.
<u>9:28:04 AM</u>	Commissioner Kim Buchanan	I will support this motion. My feelings are with Shelley, that it does not represent all the property of the district, but this Zoning Regulation does meet what it should especially with the TDRs in it.
<u>9:28:44 AM</u>		Vote to adopt Resolution 2006-02: Motion passed 6-1. Commissioner Vance opposed.
<u>9:29:04 AM</u>	Commissioner Joe Skinner	Break
<u>9:38:27 AM</u>	Commissioner Joe Skinner	He reconvened the hearing, and said that Commissioner Vance is excused for the rest of the hearing today. Bridger Canyon Zoning District Item 1. Abelin Variance
<u>9:38:49 AM</u>	Planner Warren Vaughan	(Standing in for Randy Johnson.) Abelin variance is for a garage. Staff report. Read letter of support from Ron Marlenee into the record.
<u>9:41:59 AM</u>	Commissioner John Vincent	He opened the County Commission for this variance.
<u>9:42:47 AM</u>	Terry Abelin	Applicant presentation.
<u>9:45:07 AM</u>		Discussion between applicant and Board.
<u>9:45:35 AM</u>	Commissioner Joe Skinner	Any further questions for the applicant. Public testimony - none
<u>9:45:54 AM</u>	Commissioner Joe Skinner	Board discussion.
<u>9:45:57 AM</u>	Commissioner Bill Murdock	I move we approve this variance request by the Abelins, this is an easy one, they certainly have special circumstances that are due to the topography, the size and shape of the lot, and prevalence of similar conditions and a precedent for granting variances from this side-yard before. I guess what I am curious about is why the folks up there in Bridger Pines wouldn't consider a zoning regulation amendment. Or would they prefer to do this on variances on a case-by-case basis, but they don't have to answer that. But I know the area up there and you can't build garages without making a ridiculously steep driveway, they are tiny lots; there are quite a few homes in the Big Sky area that are 10,000 square foot homes, this is a 10,000 square foot lot. That is the difference in Big Sky and Bridger in many ways. And subject to the suggested conditions; lots are very steep.
<u>9:47:27 AM</u>	Commissioner Beth Horn	Second
<u>9:47:30 AM</u>	Commissioner John Vincent	Noted the application has been endorsed by the Bridger Pines Property Owners' Association.

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9:47:45 AM	Commissioner Joe Skinner	The motion was to approve, subject to conditions.
9:47:51 AM	Commissioner Beth Horn	I want to point out that there were no objections from adjacent landowners.
9:47:58 AM		Vote: unanimous
9:48:11 AM	Commissioner Joe Skinner	Gallatin Canyon/Big Sky Zoning District: Item 1. Drolette Conditional Use Permit
9:48:26 AM	Planner Paul Bussi	Staff Report. He stated that the Big Sky Advisory Committee met and approved.
9:53:17 AM	Commissioner Joe Skinner	Questions for staff. Applicant.
9:53:39 AM	Joyce Drolette	Applicant presentation
9:54:10 AM		Board discussion with the applicant.
9:54:27 AM		Commission asked the applicant if she was comfortable with the conditions in the staff report. Applicant stated yes.
9:54:36 AM	Joyce Drolette	She stated she has contacted the Road Department regarding the signs she will need.
9:55:28 AM	Commissioner Joe Skinner	No public comment. Board Discussion.
9:55:36 AM	Commissioner Bill Murdock	I move we approve this conditional use permit for the child care with the conditions attached.
9:55:47 AM	Commissioner John Vincent	Second and adding that it meets all four of the CUP criteria and has the support of a number of residents in Big Sky and the support of the Big Sky Homeowners' Association as well.
9:56:05 AM		Board discussion.
9:57:00 AM		Vote: unanimous
9:57:08 AM	Commissioner Joe Skinner	Gallatin Canyon/Big Sky Zoning District : Item 2. Spanish Peaks Phase 7 PUD/ Conditional Use Permit
9:57:16 AM	Planner Paul Bussi	(Standing in for Randy Johnson) Staff report. No requested waivers with this application; Big Sky Advisory Committee met and approved.
10:01:58 AM	Lauren Waterton	Applicant presentation.
10:03:28 AM	Commissioner Joe Skinner	Questions to applicant.
10:03:35 AM		There was no public testimony.
10:03:48 AM	Commissioner Joe Skinner	Board discussion

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10:04:03 AM	Commissioner Beth Horn	I move that we approve this application, I find that it has met the criteria set forth in Section 24 of the Gallatin Canyon/Big Sky Zoning Regulation and that it meets the criteria for granting Conditional Use Permits as stated in the staff report, I would like to note that the Advisory Committee voted unanimously to approve this, and I would include the conditions in the staff report.
10:04:35 AM	Commissioner John Vincent	Second
10:04:40 AM		Discussion. Vote: unanimous
10:04:54 AM	Commissioner Joe Skinner	Approval of Minutes. No additions or corrections to the March 9, 2006, minutes.
10:05:05 AM	Commissioner John Vincent	Move to approve.
10:05:12 AM	Commissioner Kim Buchanan	Second
10:05:17 AM		Motion passed unanimously. There were no Pending Resolutions.
10:05:25 AM	Commissioner Joe Skinner	Adjourned.